

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Bogenstaetter et al.

Serial No. : 10/757,625

Art Unit: 1624

Filed : 01/14/2004

Examiner: T.C. McKenzie

For : HETEROCYCLIC COMPOUNDS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This paper is supplemental to the Information Disclosure Statement mailed on January 14, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with \$1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

☐ In accordance with \$1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with \$1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in \$1.17(p).

☒ In accordance with \$1.97(c), this Information Disclosure Statement is being filed after the period set forth in \$1.97(b) above but before the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under \$1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with \$1.97(e) (attached); or
- ☒ Please charge Deposit Account No. 10-0750/ORT1614USCNT1/JSK the fee of \$180.00 as set forth in \$1.17(p).

☐ In accordance with \$1.97(d), this Information Disclosure Statement is being filed after the mailing date of

either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are not enclosed herewith. The listed references were cited by the Examiner during prosecution of parent application serial number 10/104,283. Accordingly, these references are available to the Examiner in the present application. The references are simply being re-listed on Form 1449 in accordance with the requirement set forth in the Office Action issued in the present application on March 15, 2006.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT1614USCNT1/JSK. This form is submitted in triplicate.

Respectfully submitted,

/Joseph S. Kentoffio/

Joseph S. Kentoffio
Reg. No. 33,189
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-3711
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Customer No.: 000027777